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(JPP)

cc: Kennan Garvey
10/2

September 24, 2002

Mr. Stephen L. Johnson
Assistant Administrator
Office of Prevention, Pesticides
and Toxic Substances
U.S. EPA
1200 Pennsylvania Avenue NW
Washington, D.C. 20460

cc: EPA

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Dear Steve:

The purpose of this letter is to confirm that the Association of American Pesticide Control Officials (AAPCO) is currently supporting three specific recommendations for revising procedures relating to the Agency's section 18 emergency exemption process. These are the same recommendations that were presented verbally to the meeting of the Pesticide Program Dialogue Committee (PPDC) last May by Robin Rosenbaum, the chair of AAPCO's section 18 task force.

As you know, in 1997, AAPCO's task force developed a longer list of recommendations which were endorsed by the National Association of State Departments of Agriculture (NASDA), and submitted to EPA jointly by AAPCO and NASDA. However, based on several years of experience with the section 18 process as it has operated under the new demands of the Food Quality Protection Act, the AAPCO task force determined that it would be most useful from the States' point of view to focus on three of the original recommendations. The three recommendations we would like the Agency to pursue are:

1. **Multi-year section 18 exemptions.** EPA should delegate authority to the states to reissue section 18 exemptions for a second or third year, based on the state's confirmation that the basis for an emergency situation continues to exist.
2. **Resistance management.** EPA should support specific exemptions for resistance management where there is documented scientific evidence of resistance to currently registered pesticides or where valid research demonstrates that resistance is developing.

3. **Criteria for significant economic loss.** EPA should base decisions on crop yield rather than crop value (or profit loss) in situations where crop yield is a better indicator of pest damage.

I hope this clarifies AAPCO's position regarding revisions to the section 18 process.

Sincerely,

A handwritten signature in black ink, reading "Marvin A. Lawson". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Marvin A. Lawson, Ph.D.
President, AAPCO

cc: AAPCO Board of Directors
Phil Gray, AAPCO Executive Secretary
Marcia E. Mulkey, Director, Office of Pesticide Programs
Anne Lindsay, Director, Field & External Affairs Division